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BASCH & NICKERSON LLP 1777 PENFIELD ROAD PENFIELD, NY 14526			KASSA, HILINA S	
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/644,468	<b>Applicant(s)</b> BARNES ET AL.
	<b>Examiner</b> HILINA S. KASSA	<b>Art Unit</b> 2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If no period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 03 April 2008.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1,2 and 8-29 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-2 and 8-29 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/0256/06)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_

**DETAILED ACTION**

1. The amendment submitted on 04/03/2008 has been acknowledged. Claims 3-7 have been canceled.

***Response to Arguments***

2. Applicant's arguments filed on 04/03/2008, with respect to the rejection(s) of claim(s) 1-2 and 8-29 under Seseck et al. (US Publication Number 2003/0086098) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Brintzenhofe et al. (US Publication Number 2005/0223320 A1).
3. Applicant's arguments filed regarding claim 2 have been fully considered but they are not persuasive.
4. Applicant's arguments filed on 04/03/2008, with respect to claims 3-7 have been fully considered and are persuasive. The Double Patenting of claims 3-7 has been withdrawn.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Brintzenhofe et al. (US Publication Number 2005/0223320 A1) in view of Seseck et al.

(US Publication Number 2003/0086098).

**(1) regarding claim 1:**

As shown in figures 4A-8, Brintzenhofe et al. disclose, a method for creating reusable composite components from interpreted pages of rendered document during dynamic document construction (**paragraph [0011], lines 4-11; note that automatic integration, composition and layout of content from multiple sources into intelligent dynamic document templates**) comprising:

caching individual reusable document components rendered to their respective bounding box dimensions (**130, figure 4A, paragraph [0100], lines 1-6; note that within the component there are subcomponents which also get rendered to fit content to layout as explained in paragraph [0111], lines 7-11**);

permuting said reusable document components into composite combinations of reusable document components (**paragraph [0113], lines 1-7; note that the subcomponents could also be combinable as a header part of the body as shown in figure 6**);

caching each of composite reusable document component rendered relative to each other in a bounding box of sufficient size to adequately contain the combination (paragraph [0125], lines 1-8; note that the brochure composition has been rendered to media as a layout referring to figures 10-12 for the composition);

combining reusable document components in their relative positions to form composite reusable underlays (paragraph [0133], lines 1-24; note that the design composition of the overall combination for figure 9 is thoroughly described forming a reusable underlay); and

caching said composite reusable underlays rendered to full page size (paragraph [0134], lines 1-8; note that the brochure composition gets rendered to full page size as also shown in figure 9 and it is also explained in paragraph [0135]).

Brintzenhofe et al. discloses all of the subject matter as described as above except for specifically teaching to obtain a list of document components from said page and identifying any non-cached components and caching components.

However, Seseck et al. disclose obtaining a list of document components from said page and identifying any non-cached components (paragraph 31, lines 1-5, paragraph 49, lines 10-16; note that it is disclosed that a dynamic web-page may be a form with multiple fields to be filled in by user. Having said that, user's data entry is considered as the document components and the documents are identified as non-cashed components as the dynamic data does not get save

**unlike the static data); and caching components (paragraph 32, lines 1-9; note that the documents are stored in a print ready file cache).**

Brintzenhofe et al. and Seseck et al. are combinable because they are from the same field of endeavor. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to obtain a list of document components from said page and identifying any non-cached components and caching components. The suggestion/motivation for doing so would have been so that it would be easier to reuse the variable information or desired component when needed instead of storing it again and to speed up processing the document (paragraph [0003], lines 12-15). Therefore, it would have been obvious to combine Brintzenhofe et al. with Seseck et al. to obtain the invention as specified in claim1.

7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gauthier (US Publication Number 2004/0141197 A1) in view of Padgett et al. (US Patent Number 5,930,813).

**(1) regarding claim 2:**

Gauthier discloses a method for rendering pages having a combination of reusable components and non-cached components (**paragraph [0009]; lines 1-6; note that a variable data which enables the template and graphic state associated with multiple items of variable data from a database or merge file**), comprising:

searching a cache of reusable underlays for underlays having the reusable document components needed by the page (paragraph [0009], lines 7-12; note that the once the variable data is stored the graphics states can be repeatedly applied to the items of variable data from multiple variable data bitmaps);

if the correct reusable underlay is not found in cache then generating a composite reusable underlay from the reusable document components of said page and caching said RUL rendered to full page size (paragraph [0046], lines 11-13; note that if the attributes of the current graphics state differs from the attributes of previously reserved graphics, the control task generates another font cache);

creating a full page size overlay from the non-cached components that is retained until it is mated with the cached reusable underlay (paragraph [0047], lines 1-5; note that once the template is complete, it incorporates all of the static text and graphic data that is to appear on the printed document);

if the correct underlay is found in cache then retrieving the reusable underlay; and (paragraph [0049], lines 7-13; note that the merger task accesses the merge file to retrieve the name of the template for the page and then retrieves the names of the data fields and reserved graphic states which are associated with the selected template from the merge file)

rendering, along with the overlay, the page therefrom (paragraph [0050], lines 1-5; note that the name corresponding to the first graphics state on the page, the merge accesses the merge file).

Gauthier disclose all of the subject matter as described as above except for assessing said rendered page for the possibility of having an underlay-overlay pair.

However, Padgett et al. disclose assessing said rendered page for the possibility of having an underlay-overlay pair (**column 11, lines 9-25; note that the page or region gets checked to see if there is any underlay-overlay i.e. over lapping blocks or highlighted words**).

Gauthier and Padgett et al. are combinable because they are from the same field of endeavor i.e. presentation processing of document. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to assess said rendered page for the possibility of having an underlay-overlay pair. The suggestion/motivation for doing so would have been in order to acquire a fast, reliable and efficient method to highlight overlapping boundaries/regions (column 3, lines 26-30). Therefore, it would have been obvious to combine Gauthier with Padgett et al. to obtain the invention as specified in claim 2.

8. Claims 8-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gauthier (US Publication Number 2004/0141197 A1) in view of Brintzenhofe et al. (US Publication Number 2005/0223320 A1).

**(1) regarding claim 8:**

Gauthier discloses an apparatus for processing documents each represented by a document description encoded in a page description language supportive of reusable data (**paragraph [0009], lines 1-8; note that a method for utilizing variable data with a page description language**), comprising:

a page description language interpreter that receives the document description (**paragraph [0023], lines 1-8; note that an image containing text and graphics data is created a workstation**) an imager (**12, figure 1**), communicating with the interpreter (**paragraph [0024], lines 1-3; note that the generated file gets transferred to the printer**), that creates image representations of received document components (**paragraph [0024], lines 3-4; note that the postscript interpreter creates a page map of the image**); and

a reusable document component repository that stores image representations derived from a plurality of processed documents (**28, figure 1; paragraph [0047], lines 1-6; note that the template gets stored**), the reusable document component repository communicating with the interpreter and the imager to supply those ones of the image representations corresponding to selected document components of the processed documents (**paragraph [0048], lines 1-10; note that figure 1 shows the template storage 28 in communication with the image supplier 10**) and to receive selected image representations created by the imager during the processing of documents (**paragraph [0054], lines 1-9; note that a bit map gets generated for each variable data area and merged with the template, the page map is output for printing as shown at 29**).

Gauthier discloses all of the subject matter as described as above except for specifically teaching parses the document description into reusable document components and which combines said components into composites of reusable components and reusable underlays.

However, Brintzenhofe et al. disclose parses the document description into reusable document components and which combines said components into composites of reusable components and reusable underlays (**paragraph [0133], lines 1-24; note that the design composition of the overall combination for figure 9 is thoroughly described forming a reusable underlay**).

Gauthier and Brintzenhofe et al. are combinable because they are from the same field of endeavor i.e. presentation processing of document. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to parse the document description into reusable document components and which combines said components into composites of reusable components and reusable underlays. The suggestion/motivation for doing so would have been to efficiently utilize document combination and to have a system that adapts the content to be able to fit a variety of media based upon changes to either the content or to the design (paragraph [0010], lines 1-4). Therefore, it would have been obvious to combine Gauthier and Brintzenhofe et al. to obtain the invention as specified in claim 8.

**(2) regarding claim 9:**

Gauthier further disclose the apparatus for processing documents as in claim 8, further comprising a graphical user interface through which an associated user manages the reusable document component repository, the managing including selectively adjusting a repository storage size and selectively deleting image representations (paragraph [0023], lines 1-5; note that the work station has display unit which displays the image).

**(3) regarding claim 10:**

Gauthier further disclose the apparatus for processing documents as in claim 8, further comprising a compressor that receives and compresses image representations created by the imager (paragraph [0023], lines 1-8; note that the workstation 10 creates the image then the application program generates a specification of the image in PostScript), and communicates the compressed image representations to the reusable document component repository (paragraph [0024], lines 1-4; note that the PostScript interpreter is executed to generate a page map of the image).

**(4) regarding claim 11:**

Gauthier further discloses the apparatus for processing documents as in claim 10, wherein the compressor is integrated into the imager (paragraph [0024], lines 6-9; note that the postscript interpreter program gets initiated by the printer).

**(5) regarding claim 12:**

Gauthier further discloses the apparatus for processing documents as in claim 8, further comprising a random access memory cache communicating with the interpreter and the reusable document component repository (28, figure 1, paragraph [0049], lines 7-9; note that the template file has been stored prior so that the merge task begins by accessing the file to retrieve the names of the template for the page), the random access memory storing at least one most recently used image representation retrieved by the interpreter (paragraph [0049], lines 9-10; note that the specified template gets retrieved).

**(6) regarding claim 13:**

Gauthier further discloses the apparatus for processing documents as in claim 8, further comprising a repository index that indexes image representations stored in the reusable document component repository, the repository index communicating with the interpreter to identify images to be retrieved (paragraph [0049], lines 2-4; note that the database is considered as the index repository).

**(7) regarding claim 14:**

Gauthier further discloses the apparatus for processing documents as in claim 13, further comprising a ping path between the interpreter and the reusable document component repository by which the interpreter pings the reusable document component

repository responsive to the repository index indicating that a selected image representation is contained in the reusable document component repository (**paragraph [0051], lines 1-5; note that the merge task reads the data corresponding to the designated field name and it retrieves the graphics state**), the pinging directing the reusable document component repository not to delete of the selected image representation (**paragraph [0051], lines 5-9**).

**(8) regarding claim 15:**

Gauthier further discloses the apparatus for processing documents as in claim 14, wherein the repository index is integrated into the page description language interpreter (**paragraph [0024], lines 3-4; note that the postscript interpreter creates a page map of the image**)

**(9) regarding claim 16:**

Gauthier further disclose the apparatus for processing documents as in claim 8, further comprising a printing station that includes the page description language interpreter (**paragraph [0023], lines 1-8; note that an image containing text and graphics data is created a workstation**), the imager (**12, figure 1**), and the reusable document component repository; and an electronic network by which the printing station receives documents for processing (**paragraph [0024], lines 3-4; note that the postscript interpreter creates a page map of the image**).

**(10) regarding claim 17:**

Gauthier further disclose a document construction method comprising:

receiving a document description including at least one selected reusable document component (**paragraph [0009], lines 1-8; note that a method for utilizing variable data with a page description language**);

querying a reusable document component repository containing stored image representations of reusable document components to locate a selected stored image representation corresponding to the selected reusable document component (**28, figure 1; paragraph [0047], lines 1-6; note that the template gets stored**);

conditional upon the querying,

identifying one of the stored image representations as corresponding to the selected reusable document component and retrieving the selected stored image representation corresponding to the selected reusable document component (**paragraph [0048], lines 1-10; note that figure 1 shows the template storage 28 in communication with the image supplier 10**), or,

not identifying one of the stored image representations as corresponding to the selected reusable document component, generating an image representation for the selected reusable document component, and storing the generated image representation in the reusable document component repository

**(paragraph [0046], lines 11-13; note that if the attributes of the current graphics state differs from the attributes of previously reserved graphics, the control task generates another font cache); and**

converting the document description to a document image representation, the converting including incorporating the selected or generated image representation corresponding to the selected reusable document into the document image representation **(paragraph [0050], lines 1-5; note that the name corresponding to the first graphics state on the page, the merge accesses the merge file).**

Gauthier disclose all of the subject matter as described as above except for specifically teaching combining said components into composites of reusable components and reusable underlays.

However, Brintzenhofe et al. disclose combining said components into composites of reusable components and reusable underlays **(paragraph [0133], lines 1-24; note that the design composition of the overall combination for figure 9 is thoroughly described forming a reusable underlay).**

Gauthier and Brintzenhofe et al. are combinable because they are from the same field of endeavor i.e. presentation processing of document. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art to combine said components into composites of reusable components and reusable underlays. The suggestion/motivation for doing so would have been to efficiently utilize document combination and to have a system that adapts the content to be able to fit a variety of

media based upon changes to either the content or to the design (paragraph [0010], lines 1-4). Therefore, it would have been obvious to combine Brintzenhofe et al. with Gauthier to obtain the invention as specified in claim 17.

**(11) regarding claim 18:**

Gauthier further disclose the document construction method as in claim 17, wherein the step of storing the generated image representation in the reusable document component repository includes associating a life span parameter with the generated image representation (**paragraph [0028], lines 1-3; note that a new attributed gets defined and placed on the top of the stack i.e. consider as the life-time stack**); and responsive to an expiration of the life span parameter, removing the corresponding generated image representation from the reusable document component repository (**paragraph [0028], lines 3-7; note that the old attribute gets deleted**).

**(12) regarding claim 19:**

Gauthier further disclose the document construction method as in claim 18, wherein the step of associating a life span parameter with the generated rasterized image includes associating one of a temporal life span and an indication of permanence with the generated image representation (**paragraph [0044], lines 1-6**).

**(13) regarding claim 20:**

Gauthier further disclose the document construction method as in claim 18, wherein the life span parameter is such that the generated image representation remains available in the reusable document component repository for reuse in the construction of subsequent documents (**paragraph [0045], lines 1-10**).

**(14) regarding claim 21:**

Gauthier further disclose the document construction method as in claim 17, responsive to a selected user input, further comprising removing the generated image representation from the reusable document component repository (**paragraph [0028], lines 3-7**).

**(15) regarding claim 22:**

Gauthier further discloses the document construction method as in claim 17, wherein the querying includes tracking previously generated image representations (**paragraph [0031], lines 1-7**); and conditional upon the tracking indicating that a previously generated image representation corresponds to the selected reusable document component, verifying the previously generated image representation currently resides in the reusable document component repository (**paragraph [0032], lines 1-14**).

**(16) regarding claim 23:**

Gauthier further discloses the document construction method as in claim 22, wherein the querying further includes conditional upon a successful verifying, marking the previously generated image representation to prevent a removing thereof (paragraph [0049], lines 7-9; note that the template file has been stored prior so that the merge task begins by accessing the file to retrieve the names of the template for the page).

**(17) regarding claim 24:**

Gauthier further discloses the document construction method as in claim 17, wherein the storing of the generated image representation in the reusable document component repository includes, prior to the storing, compressing the image (paragraph [0023], lines 1-8; note that the workstation 10 creates the image then the application program generates a specification of the image in PostScript).

**(18) regarding claim 25:**

Gauthier further discloses the document construction method as in claim 17, further comprising storing at least a portion of the reusable document component repository in a random access memory cache (28, figure 1, paragraph [0049], lines 7-

**9; note that the template file has been stored prior so that the merge task begins by accessing the file to retrieve the names of the template for the page).**

**(19) regarding claim 26:**

Gauthier further discloses the document construction method as in claim 17, further comprising storing the reusable document component repository on a permanent storage device; and storing most recently accessed image representations in a random access memory cache (**paragraph [0049], lines 2-10**).

**(20) regarding claim 27:**

Gauthier further disclose the document construction method as in claim 17, further comprising identifying the selected reusable document component as reusable by detecting a reusable document component hint associated with the reusable document component (**paragraph [0046], lines 7-16; note that the variable data is linked with the cached font so that it identifies if the data is corresponding**).

9. Claims 28-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gauthier (US Publication Number 2004/0141197 A1) and Brintzenhofe et al. (US Publication Number 2005/0223320 A1) as applied to claim 17, and further in view of Seseck et al. (US Publication Number 2003/0086098).

**(1) regarding claim 28:**

Gauthier and Brintzenhofe et al. disclose all of the subject matter as described as above except for specifically teaching wherein the document description is encoded in a Variable data Intelligent Postscript Printware language.

However, Seseck et al. disclose wherein the document description is encoded in a Variable data Intelligent Postscript Printware language (**paragraph 30, lines 1-7**).

Gauthier and Brintzenhofe et al. are combinable because they are from the same field of endeavor i.e. presentation processing of document. Gauthier, Brintzenhofe et al. and Seseck et al. are combinable because they are from the same field of endeavor i.e. presentation processing of document and printing processing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein the document description is encoded in a Variable data Intelligent Postscript Printware language. The suggestion/motivation for doing so would have been so that it would be efficiently process the variable data to the printer ready format (**paragraph [0003], lines 12-15**). Therefore, it would have been obvious to combine Gauthier and Brintzenhofe et al. with Seseck et al. to obtain the invention as specified in claim 28.

**(2) regarding claim 29:**

Gauthier and Brintzenhofe et al. disclose all of the subject matter as described as above except for specifically teaching wherein the document description is encoded in a Personalized Print Markup Language.

However, Seseck et al. disclose wherein the document description is encoded in a Personalized Print Markup Language (**paragraph 19, lines 12-17**).

Gauthier and Brintzenhofe et al. are combinable because they are from the same field of endeavor i.e. presentation processing of document. Gauthier, Brintzenhofe et al. and Seseck et al. are combinable because they are from the same field of endeavor i.e. presentation processing of document and printing processing. At the time of the invention, it would have been obvious to a person of ordinary skilled in the art wherein the document description is encoded in a Personalized Print Markup Language. The suggestion/motivation for doing so would have been so that it would be efficiently process the variable data to the printer ready format (**paragraph [0003], lines 12-15**). Therefore, it would have been obvious to combine Gauthier and Brintzenhofe et al. with Seseck et al. to obtain the invention as specified in claim 29.

### ***Conclusion***

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

**Johnson** (US Patent Number 5,850,490) discloses analyzing an image of a document using alternative positioning of a class of segments.

11. Any inquiry concerning this communication or earlier communication from the examiner should be directed to Hilina Kassa whose telephone number is (571) 270-1676.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore could be reached at (571) 272- 7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hilina S Kassa/  
Examiner, Art Unit 2625  
April 17, 2008

/Mark K Zimmerman/  
Supervisory Patent Examiner, Art Unit 2625